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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND**

CISCO SYSTEMS, INC., a California
Corporation, CISCO TECHNOLOGY, INC.,
a California Corporation

Plaintiffs,

v.

WILSON CHUNG, JAMES HE, JEDD
WILLIAMS, and THOMAS PUORRO,
individuals, and PLANTRONICS, INC. dba
POLY, a Delaware Corporation

Defendants.

Case No. 4:19-cv-07562-PJH

**PLAINTIFFS' L.R. 7-11
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE SUPPLEMENTAL
BRIEF IN FURTHER OPPOSITION
TO DEFENDANTS' MOTIONS TO
STAY DISCOVERY AND FOR A
PROTECTIVE ORDER**

Date: N/A
Time: N/A
Judge: Hon. Phyllis J. Hamilton

NOTICE OF MOTION AND MOTION

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT, Plaintiffs Cisco Systems, Inc. and Cisco Technology, Inc. (jointly “Cisco”) will and hereby do move under Local Civil Rules 7-11(a) for leave to file a supplemental brief in light of Defendants Chung’s and He’s Joinders of Plantronics, Inc.’s Motion to Stay Discovery And, In the Alternative, For A Protective Order (“Joinder Motions”).

MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to Civil L.R. 7-11(a), and in light of the Joinder Motions, Cisco moves for leave to file a supplemental brief, attached hereto as Exhibit A, in further support of its Opposition to Plantronics, Inc’s and Mr. Puorro’s Motions to Stay Discovery and, in the Alternative, for a Protective Order (the “Opposition Brief”) (Dkt. No. 102). Cisco sought Dr. Chung’s and Mr. He’s non-opposition to this motion; they oppose.

Good cause exists for granting this motion. On June 3—the filing deadline for Cisco’s Opposition Brief—Dr. Chung and Mr. He filed the Joinder Motions. Because of the concurrent filing, Cisco was unable to address the Joinder Motions in the Opposition Brief and argue against the grant of a stay of discovery or for a protective order with respect to Dr. Chung or Mr. He.

As explained in Cisco’s supplemental brief, Dr. Chung and Mr. He fail to articulate why the briefing submitted by Plantronics, Inc. (“Poly”) and Thomas Puorro (“Mr. Puorro”) apply to them. Their Joinder Motions acknowledge a different posture of the case against them, but still incorporate by reference a motion submitted prior to the Court’s Order Re Motions to Compel Arbitration, Stay the Case, and Dismiss (Dkt. No. 97). Further, Dr. Chung and Mr. He join in the motion for a protective order even though arguments set forth in Poly and Mr. Puorro’s briefing were specific to the discovery requests served upon them. (*See* Dkt. No. 92 at 9-10 (discussing three RFPs and two interrogatories served upon Poly).) Cisco’s supplemental brief addresses the specific discovery requests served upon Dr. Chung and Mr. He, and support a denial of a stay of discovery and denial of a protective order in this case.

Respectfully submitted,

Dated: June 17, 2020

DESMARAIS LLP

By: /s/ Carson Olsheski

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